#### 106TH CONGRESS 1ST SESSION

# S. 1675

To provide for school dropout prevention, and for other purposes.

#### IN THE SENATE OF THE UNITED STATES

September 30, 1999

Mr. BINGAMAN (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

## A BILL

To provide for school dropout prevention, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "National Dropout Pre-
- 5 vention Act of 1999".

### 6 TITLE I—DROPOUT PREVENTION

- 7 SEC. 101. DROPOUT PREVENTION.
- 8 Part C of title V of the Elementary and Secondary
- 9 Education Act of 1965 (20 U.S.C. 7261 et seq.) is amend-
- 10 ed to read as follows:

1	"PART C—ASSISTANCE TO ADDRESS SCHOOL
2	DROPOUT PROBLEMS
3	"Subpart 1—Coordinated National Strategy
4	"SEC. 5311. NATIONAL ACTIVITIES.
5	"(a) National Priority.—It shall be a national pri-
6	ority, for the 5-year period beginning on the date of enact-
7	ment of the National Dropout Prevention Act of 1999, to
8	lower the school dropout rate, and increase school comple-
9	tion, for middle school and secondary school students in
10	accordance with Federal law. As part of this priority, all
11	Federal agencies that carry out activities that serve stu-
12	dents at risk of dropping out of school or that are intended
13	to help address the school dropout problem shall make
14	school dropout prevention a top priority in the agencies'
15	funding priorities during the 5-year period.
16	"(b) Enhanced Data Collection.—The Secretary
17	shall collect systematic data on the participation of dif-
18	ferent racial and ethnic groups (including migrant and
19	limited English proficient students) in all Federal pro-
20	grams.
21	"SEC. 5312. NATIONAL SCHOOL DROPOUT PREVENTION
22	STRATEGY.
23	"(a) Plan.—The Director shall develop, implement,
24	and monitor an interagency plan (in this section referred
25	to as the 'plan') to assess the coordination, use of re-
26	sources, and availability of funding under Federal law that

- 1 can be used to address school dropout prevention, or mid-
- 2 dle school or secondary school reentry. The plan shall be
- 3 completed and transmitted to the Secretary and Congress
- 4 not later than 180 days after the first Director is ap-
- 5 pointed.
- 6 "(b) COORDINATION.—The plan shall address inter-
- 7 and intra-agency program coordination issues at the Fed-
- 8 eral level with respect to school dropout prevention and
- 9 middle school and secondary school reentry, assess the tar-
- 10 geting of existing Federal services to students who are
- 11 most at risk of dropping out of school, and the cost-effec-
- 12 tiveness of various programs and approaches used to ad-
- 13 dress school dropout prevention.
- 14 "(c) Available Resources.—The plan shall also
- 15 describe the ways in which State and local agencies can
- 16 implement effective school dropout prevention programs
- 17 using funds from a variety of Federal programs, including
- 18 the programs under title I of this Act and the School-to-
- 19 Work Opportunities Act of 1994.
- 20 "(d) Scope.—The plan will address all Federal pro-
- 21 grams with school dropout prevention or school reentry
- 22 elements or objectives, programs under title I of this Act,
- 23 the School-to-Work Opportunities Act of 1994, part B of
- 24 title IV of the Job Training Partnership Act, subtitle C

- 1 of title I of the Workforce Investment Act of 1998, and
- 2 other programs.

#### 3 "SEC. 5313. NATIONAL CLEARINGHOUSE.

- 4 "Not later than 6 months after the date of enactment
- 5 of the National Dropout Prevention Act of 1999, the Di-
- 6 rector shall establish a national clearinghouse on effective
- 7 school dropout prevention, intervention and reentry pro-
- 8 grams. The clearinghouse shall be established through a
- 9 competitive grant or contract awarded to an organization
- 10 with a demonstrated capacity to provide technical assist-
- 11 ance and disseminate information in the area of school
- 12 dropout prevention, intervention, and reentry programs.
- 13 The clearinghouse shall—
- "(1) collect and disseminate to educators, par-
- ents, and policymakers information on research, ef-
- 16 fective programs, best practices, and available Fed-
- eral resources with respect to school dropout preven-
- tion, intervention, and reentry programs, including
- dissemination by an electronically accessible data-
- base, a worldwide Web site, and a national journal;
- 21 and
- 22 "(2) provide technical assistance regarding se-
- curing resources with respect to, and designing and
- implementing, effective and comprehensive school

- dropout prevention, intervention, and reentry pro-
- 2 grams.

#### 3 "SEC. 5314. NATIONAL RECOGNITION PROGRAM.

- 4 "(a) In General.—The Director shall carry out a
- 5 national recognition program that recognizes schools that
- 6 have made extraordinary progress in lowering school drop-
- 7 out rates under which a public middle school or secondary
- 8 school from each State will be recognized. The Director
- 9 shall use uniform national guidelines that are developed
- 10 by the Director for the recognition program and shall rec-
- 11 ognize schools from nominations submitted by State edu-
- 12 cational agencies.
- 13 "(b) Eligible Schools.—The Director may recog-
- 14 nize any public middle school or secondary school (includ-
- 15 ing a charter school) that has implemented comprehensive
- 16 reforms regarding the lowering of school dropout rates for
- 17 all students at that school.
- 18 "(c) Support.—The Director may make monetary
- 19 awards to schools recognized under this section, in
- 20 amounts determined by the Director. Amounts received
- 21 under this section shall be used for dissemination activities
- 22 within the school district or nationally.

#### 1 "Subpart 2—National School Dropout Prevention 2 **Initiative** 3 "SEC. 5321. FINDINGS. "Congress finds that, in order to lower dropout rates 4 5 and raise academic achievement levels, improved and redesigned schools must— 6 "(1) challenge all children to attain their high-7 8 est academic potential; and 9 "(2) ensure that all students have substantial 10 and ongoing opportunities to— "(A) achieve high levels of academic and 11 12 technical skills; "(B) prepare for college and careers; 13 "(C) learn by doing; 14 "(D) work with teachers in small schools 15 16 within schools; "(E) receive ongoing support from adult 17 18 mentors; "(F) access a wide variety of information 19 20 about careers and postsecondary education and 21 training; 22 "(G) use technology to enhance and moti-23 vate learning; and 24 "(H) benefit from strong links among middle schools, secondary schools, and postsec-25 26 ondary institutions.

#### 1 "SEC. 5322. PROGRAM AUTHORIZED.

2	"(a)	ALLOTMENTS	TO STATES.—
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3 "(1) In general.—From the sum made avail-4 able under section 5332(b) for a fiscal year the Sec-5 retary shall make an allotment to each State in an 6 amount that bears the same relation to the sum as 7 the amount the State received under title I for the 8 preceding fiscal year bears to the amount received 9 by all States under such title for the preceding fiscal 10 year.

"(2) DEFINITION OF STATE.—In this subpart, the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

"(b) GRANTS.—From amounts made available to a State under subsection (a), the State educational agency may award grants to public middle schools or secondary schools, that have school dropout rates which are in the highest ¼ of all school dropout rates in the State, to enable the schools to pay only the startup and implementation costs of effective, sustainable, coordinated, and whole

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1	school dropout prevention programs that involve activities
2	such as—
3	"(1) professional development;
4	"(2) obtaining curricular materials;
5	"(3) release time for professional staff;
6	"(4) planning and research;
7	"(5) remedial education;
8	"(6) reduction in pupil-to-teacher ratios;
9	"(7) efforts to meet State student achievement
10	standards; and
11	"(8) counseling for at-risk students.
12	"(c) Intent of Congress.—It is the intent of Con-
13	gress that the activities started or implemented under sub-
14	section (a) shall be continued with funding provided under
15	part A of title I.
16	"(d) Amount.—
17	"(1) In general.—Subject to subsection (d)
18	and except as provided in paragraph (2), a grant
19	under this subpart shall be awarded—
20	"(A) in the first year that a school receives
21	a grant payment under this subpart, in an
22	amount that is not less than \$50,000 and not
23	more than \$100,000, based on factors such
24	as—
25	"(i) school size;

1	"(ii) costs of the model being imple-
2	mented; and
3	"(iii) local cost factors such as poverty
4	rates;
5	"(B) in the second such year, in an
6	amount that is not less than 75 percent of the
7	amount the school received under this subpart
8	in the first such year;
9	"(C) in the third year, in an amount that
10	is not less than 50 percent of the amount the
11	school received under this subpart in the first
12	such year; and
13	"(D) in each succeeding year in an amount
14	that is not less than 30 percent of the amount
15	the school received under this subpart in the
16	first such year.
17	"(2) Increases.—The Director shall increase
18	the amount awarded to a school under this subpart
19	by 10 percent if the school creates smaller learning
20	communities within the school and the creation is
21	certified by the State educational agency.
22	"(e) Duration.—A grant under this subpart shall
23	be awarded for a period of 3 years, and may be continued
24	for a period of 2 additional years if the State educational
25	agency determines, based on the annual reports described

- 1 in section 5328(a), that significant progress has been
- 2 made in lowering the school dropout rate for students par-
- 3 ticipating in the program assisted under this subpart com-
- 4 pared to students at similar schools who are not partici-
- 5 pating in the program.

#### 6 "SEC. 5323. STRATEGIES AND ALLOWABLE MODELS.

- 7 "(a) Strategies.—Each school receiving a grant
- 8 under this subpart shall implement research-based, sus-
- 9 tainable, and widely replicated, strategies for school drop-
- 10 out prevention and reentry that address the needs of an
- 11 entire school population rather than a subset of students.
- 12 The strategies may include—
- "(1) specific strategies for targeted purposes;
- 14 and
- 15 "(2) approaches such as breaking larger schools
- down into smaller learning communities and other
- 17 comprehensive reform approaches, creating alter-
- 18 native school programs, developing clear linkages to
- 19 career skills and employment, and addressing spe-
- cific gatekeeper hurdles that often limit student re-
- 21 tention and academic success.
- "(b) Allowable Models.—The Director shall an-
- 23 nually establish and publish in the Federal Register the
- 24 principles, criteria, models, and other parameters regard-
- 25 ing the types of effective, proven program models that are

1	allowed to be used under this subpart, based on existing
2	research.
3	"(c) Capacity Building.—
4	"(1) In General.—The Director, through a
5	contract with a non-Federal entity, shall conduct a
6	capacity building and design initiative in order to in-
7	crease the types of proven strategies for dropout
8	prevention on a schoolwide level.
9	"(2) Number and duration.—
10	"(A) Number.—The Director shall award
11	not more than 5 contracts under this sub-
12	section.
13	"(B) Duration.—The Director shall
14	award a contract under this section for a period
15	of not more than 5 years.
16	"(d) Support for Existing Reform Net-
17	WORKS.—
18	"(1) In general.—The Director shall provide
19	appropriate support to eligible entities to enable the
20	eligible entities to provide training, materials, devel-
21	opment, and staff assistance to schools assisted
22	under this subpart.
23	"(2) Definition of Eligible Entity.—The
24	term 'eligible entity' means an entity that, prior to

1	the date of enactment of the National Dropout Pre-
2	vention Act of 1999—
3	"(A) provided training, technical assist-
4	ance, and materials to 100 or more elementary
5	schools or secondary schools; and
6	"(B) developed and published a specific
7	educational program or design for use by the
8	schools.
9	"SEC. 5324. SELECTION OF SCHOOLS.
10	"(a) School Application.—
11	"(1) In general.—Each school desiring a
12	grant under this subpart shall submit an application
13	to the State educational agency at such time, in
14	such manner, and accompanied by such information
15	as the State educational agency may require.
16	"(2) Contents.—Each application submitted
17	under paragraph (1) shall—
18	"(A) contain a certification from the local
19	educational agency serving the school that—
20	"(i) the school has the highest number
21	or rates of school dropouts in the age
22	group served by the local educational agen-
23	cy;
24	"(ii) the local educational agency is
25	committed to providing ongoing oper-

1	ational support, for the school's com-
2	prehensive reform plan to address the
3	problem of school dropouts, for a period of
4	5 years; and
5	"(iii) the local educational agency will
6	support the plan, including—
7	"(I) release time for teacher
8	training;
9	"(II) efforts to coordinate activi-
10	ties for feeder schools; and
11	"(III) encouraging other schools
12	served by the local educational agency
13	to participate in the plan;
14	"(B) demonstrate that the faculty and ad-
15	ministration of the school have agreed to apply
16	for assistance under this subpart, and provide
17	evidence of the school's willingness and ability
18	to use the funds under this subpart, including
19	providing an assurance of the support of 80
20	percent or more of the professional staff at the
21	school;
22	"(C) describe the instructional strategies
23	to be implemented, how the strategies will serve
24	all students, and the effectiveness of the strate-
25	${ m gies};$

1	"(D) describe a budget and timeline for
2	implementing the strategies;
3	"(E) contain evidence of interaction with
4	an eligible entity described in section
5	5323(d)(2);
6	"(F) contain evidence of coordination with
7	existing resources;
8	"(G) provide an assurance that funds pro-
9	vided under this subpart will supplement and
10	not supplant other Federal, State, and local
11	funds;
12	"(H) describe how the activities to be as-
13	sisted conform with an allowable model de-
14	scribed in section 5323(b); and
15	"(I) demonstrate that the school and local
16	educational agency have agreed to conduct a
17	schoolwide program under 1114.
18	"(b) STATE AGENCY REVIEW AND AWARD.—The
19	State educational agency shall review applications and
20	award grants to schools under subsection (a) according to
21	a review by a panel of experts on school dropout preven-
22	tion.
23	"(c) Criteria.—The Director shall establish clear
24	and specific selection criteria for awarding grants to
25	schools under this subpart. Such criteria shall be based

1	on school dropout rates and other relevant factors for
2	State educational agencies to use in determining the num-
3	ber of grants to award and the type of schools to be award-
4	ed grants.
5	"(d) Eligibility.—A school is eligible to receive a
6	grant under this subpart if the school is—
7	"(1) a public school (including a public alter-
8	native school)—
9	"(A) that is eligible to receive assistance
10	under part A of title I, including a comprehen-
11	sive secondary school, a vocational or technical
12	secondary school, and a charter school; and
13	"(B)(i) that serves students 50 percent or
14	more of whom are low-income individuals; or
15	"(ii) with respect to which the feeder
16	schools that provide the majority of the incom-
17	ing students to the school serve students 50
18	percent or more of whom are low-income indi-
19	viduals; or
20	"(2) participating in a schoolwide program
21	under section 1114 during the grant period.
22	"(e) Community-Based Organizations.—A school
23	that receives a grant under this subpart may use the grant
24	funds to secure necessary services from a community-
25	based organization, including private sector entities, if—

- 1 "(1) the school approves the use;
- 2 "(2) the funds are used to provide school drop-
- 3 out prevention and reentry activities related to
- 4 schoolwide efforts; and
- 5 "(3) the community-based organization has
- 6 demonstrated the organization's ability to provide ef-
- 7 fective services as described in section 107(a) of the
- 8 Job Training Partnership Act, or section 122 of the
- 9 Workforce Investment Act of 1998.
- 10 "(f) Coordination.—Each school that receives a
- 11 grant under this subpart shall coordinate the activities as-
- 12 sisted under this subpart with other Federal programs,
- 13 such as programs assisted under chapter 1 of subpart 2
- 14 of part A of title IV of the Higher Education Act of 1965
- 15 and the School-to-Work Opportunities Act of 1994.
- 16 "SEC. 5325. DISSEMINATION ACTIVITIES.
- 17 "Each school that receives a grant under this subpart
- 18 shall provide information and technical assistance to other
- 19 schools within the school district, including presentations,
- 20 document-sharing, and joint staff development.
- 21 "SEC. 5326. PROGRESS INCENTIVES.
- 22 "Notwithstanding any other provision of law, each
- 23 local educational agency that receives funds under title I
- 24 shall use such funding to provide assistance to schools
- 25 served by the agency that have not made progress toward

- 1 lowering school dropout rates after receiving assistance
- 2 under this subpart for 2 fiscal years.
- 3 "SEC. 5327. SCHOOL DROPOUT RATE CALCULATION.
- 4 "For purposes of calculating a school dropout rate
- 5 under this subpart, a school shall use—
- 6 "(1) the annual event school dropout rate for
- 7 students leaving a school in a single year determined
- 8 in accordance with the National Center for Edu-
- 9 cation Statistics' Common Core of Data, if available;
- 10 or
- "(2) in other cases, a standard method for cal-
- culating the school dropout rate as determined by
- the State educational agency.
- 14 "SEC. 5328. REPORTING AND ACCOUNTABILITY.
- 15 "(a) Reporting.—In order to receive funding under
- 16 this subpart for a fiscal year after the first fiscal year a
- 17 school receives funding under this subpart, the school shall
- 18 provide, on an annual basis, to the Director a report re-
- 19 garding the status of the implementation of activities
- 20 funded under this subpart, the disaggregated outcome
- 21 data for students at schools assisted under this subpart
- 22 such as dropout rates, and certification of progress from
- 23 the eligible entity whose strategies the school is imple-
- 24 menting.

1	"(b) Accountability.—On the basis of the reports
2	submitted under subsection (a), the Director shall evaluate
3	the effect of the activities assisted under this subpart or
4	school dropout prevention compared to a control group
5	"SEC. 5329. PROHIBITION ON TRACKING.
6	"(a) In General.—A school shall be ineligible to re-
7	ceive funding under this subpart for a fiscal year, if the
8	school—
9	"(1) has in place a general education track;
10	"(2) provides courses with significantly dif-
11	ferent material and requirements to students at the
12	same grade level; or
13	"(3) fails to encourage all students to take a
14	core curriculum of courses.
15	"(b) REGULATIONS.—The Secretary shall promul-
16	gate regulations implementing subsection (a).
17	"Subpart 3—Definitions; Authorization of
18	Appropriations
19	"SEC. 5331. DEFINITIONS.
20	"In this Act:
21	"(1) DIRECTOR.—The term 'Director' means
22	the Director of the Office of Dropout Prevention and
23	Program Completion established under section 220
24	of the Conoral Education Provisions Act

- 1 "(2) Low-income.—The term 'low-income', 2 used with respect to an individual, means an individual determined to be low-income in accordance 3 with measures described in section 1113(a)(5). "(3) SCHOOL DROPOUT.—The term 'school 6 dropout' has the meaning given the term in section 4(17) of the School-to-Work Opportunities Act of 7 8 1994. "SEC. 5332. AUTHORIZATION OF APPROPRIATIONS. 10 "(a) Subpart 1.—There are authorized to be appropriated to carry out subpart 1, \$5,000,000 for fiscal year 11 12 2000 and such sums as may be necessary for each of the 13 4 succeeding fiscal years. 14 "(b) Subpart 2.—There are authorized to be appropriated to carry out subpart 2, \$145,000,000 for fiscal year 2000 and such sums as may be necessary for each of the 4 succeeding fiscal years, of which— 18 "(1) \$125,000,000 shall be available to carry 19 out section 5322; and 20 "(2) \$20,000,000 shall be available to carry out 21 section 5323.". 22 SEC. 102. OFFICE OF DROPOUT PREVENTION AND PRO-23 GRAM COMPLETION.
- Title II of the Department of Education Organization
- 25 Act (20 U.S.C. 3411) is amended—

1	(1) by redesignating section 216 (as added by
2	Public Law 103–227) as section 218; and
3	(2) by adding at the end the following:
4	"OFFICE OF DROPOUT PREVENTION AND PROGRAM
5	COMPLETION
6	"Sec. 220. (a) Establishment.—There shall be in
7	the Department of Education an Office of Dropout Pre-
8	vention and Program Completion (hereafter in this section
9	referred to as the 'Office'), to be administered by the Di-
10	rector of the Office of Dropout Prevention and Program
11	Completion. The Director of the Office shall report di-
12	rectly to the Secretary and shall perform such additional
13	functions as the Secretary may prescribe.
14	"(b) Duties.—The Director of the Office of Dropout
15	Prevention and Program Completion (hereafter in this
16	section referred to as the 'Director'), through the Office,
17	shall—
18	"(1) help coordinate Federal, State, and local
19	efforts to lower school dropout rates and increase
20	program completion by middle school, secondary
21	school, and college students;
22	"(2) recommend Federal policies, objectives,
23	and priorities to lower school dropout rates and in-
24	crease program completion;

1	"(3) oversee the implementation of subpart 2 of
2	part C of title V of the Elementary and Secondary
3	Education Act of 1965;
4	"(4) develop and implement the National
5	School Dropout Prevention Strategy under section
6	5312 of the Elementary and Secondary Education
7	Act of 1965;
8	"(5) annually prepare and submit to Congress
9	and the Secretary a national report describing ef-
10	forts and recommended actions regarding school
11	dropout prevention and program completion;
12	"(6) recommend action to the Secretary and the
13	President, as appropriate, regarding school dropout
14	prevention and program completion; and
15	"(7) consult with and assist State and local
16	governments regarding school dropout prevention
17	and program completion.
18	"(c) Scope of Duties.—The scope of the Director's
19	duties under subsection (b) shall include examination of
20	all Federal and non-Federal efforts related to—
21	"(1) promoting program completion for children
22	attending middle school or secondary school;
23	"(2) programs to obtain a secondary school di-
24	ploma or its recognized equivalent (including general

1	equivalency diploma (GED) programs), or college
2	degree programs; and
3	"(3) reentry programs for individuals aged 12
4	to 24 who are out of school.
5	"(d) Detailing.—In carrying out the Director's du-
6	ties under this section, the Director may request the head
7	of any Federal department or agency to detail personnel
8	who are engaged in school dropout prevention activities
9	to another Federal department or agency in order to im-
10	plement the National School Dropout Prevention Strat-
11	egy.".
12	TITLE II—STATE
13	RESPONSIBILITIES
14	SEC. 201. STATE RESPONSIBILITIES.
15	Title XIV of the Elementary and Secondary Edu-
16	cation Act of 1965 (20 U.S.C. 8801 et seq.) is amended
17	by adding at the end the following:
18	"PART I—DROPOUT PREVENTION
19	"SEC. 14851. DROPOUT PREVENTION.
20	"In order to receive any assistance under this Act,
21	a State educational agency shall comply with the following
22	provisions regarding school dropouts:
23	"(1) Uniform data collection.—Within 1
24	year after the date of enactment of the National

agency shall report to the Secretary and statewide, all school district and school data regarding school dropout rates in the State, and demographic breakdowns, according to procedures that conform with the National Center for Education Statistics' Common Core of Data.

- "(2) Attendance-neutral funding policies.—Within 2 years after the date of enactment of the National Dropout Prevention Act of 1999, a State educational agency shall develop and implement education funding formula policies for public schools that provide appropriate incentives to retain students in school throughout the school year, such as—
  - "(A) a student count methodology that does not determine annual budgets based on attendance on a single day early in the academic year; and
  - "(B) specific incentives for retaining enrolled students throughout each year.
- "(3) Suspension and expulsion policies.—
  Within 2 years after the date of enactment of the
  National Dropout Prevention Act of 1999, a State
  educational agency shall develop uniform, long-term
  suspension and expulsion policies for serious infrac-

- 1 tions resulting in more than 10 days of exclusion
- 2 from school per academic year so that similar viola-

3 tions result in similar penalties.".

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